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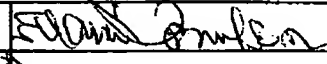
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| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 09/248,077     |
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|   | First Named Inventor   | LADD, David J. |
|   | Art Unit               | 2157           |
|   | Examiner Name          | A. E. Salad    |
| Total Number of Pages In This Submission  | Attorney Docket Number | 3655/0143PUS1  |

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| Firm Name                                  | Geissler, Olds & Lowe, PLLC  |          |       |
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| Printed name                               | Scott L. Lowe  |          |       |
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David J. LADD Conf. No.: 8370  
Appln. No.: 09/248,077 Group: 2157  
Filed: February 10, 1999 Examiner: SALAD, A. E.  
For: SYSTEM AND METHOD FOR TRANSMISSION AND  
DELIVERY OF TRAVEL INSTRUCTIONS TO INFORMATIONAL  
APPLIANCES

SECOND SUPPLEMENTAL BRIEF  
ON APPEAL UNDER 37 C.F.R. § 41.37

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 223 13-1450

Sir:

On May 31, 2006, Appellant filed a Brief on Appeal Under 37 C.F.R. §41.37. In response to the original Appeal Brief, an Office Action issued on August 25, 2006, which reopened prosecution and revised the grounds of rejection by eliminating one of the two previously cited references and arguing that the pending claims were unpatentable over only one of the previously cited references.

In response to the Office Action dated August 25, 2006, Appellant requested reinstatement of the Appeal by filing a Supplemental Brief on Appeal Under 37 C.F.R. §41.37. On December 15, 2006, an Office Action issued advising Appellant that the Supplemental Brief was defective because the summary of the claimed subject matter failed to map each independent claim to the specification by page and line number and to the drawings. On January 10, 2007, Appellant filed an Amended Supplemental Brief on Appeal Under 37 C.F.R. §41.37 in order to overcome the

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shortcomings noted in the December 15, 2006, Office Action. On May 21, 2007, an Office Action issued alleging that a table included in the Amended Supplemental Brief was confusing. Accordingly, a Second Amended Supplemental Brief on Appeal Under 37 C.F.R. §41.37 was filed on June 15, 2007.

In response to the Second Amended Supplemental Brief on Appeal, the examiner once again reopened prosecution with an Office Action dated October 19, 2007. In that Office Action, the examiner changed the secondary reference used to support the obviousness rejections of all claims. In response to that Office Action, Appellant hereby requests reinstatement of the appeal by filing this Second Supplemental Brief on Appeal.

The fees required under § 41.20(b)(2) were previously paid with the originally filed Brief. The difference between the current fees required under § 41.20(b)(2) and the previously paid fees is submitted herewith.

This brief contains items under the following headings as required by C.F.R. § 41.37 and M.P.E.P. § 1206:

- I. Real Party in Interest
- II. Related Appeals and Interferences
- III. Status of Claims
- IV. Status of Amendments
- V. Summary of Claimed Subject Matter
- VI. Grounds of Rejection to be Reviewed on Appeal
- VII. Argument
- VIII. Claims
- IX. Evidence
- X. Related Proceedings
- Appendix A: Claims Appendix
- Appendix B: Evidence Appendix
- Appendix C: Related Proceedings Appendix

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**I. Real Party in Interest**

The real party in interest for this Application is Avaya Technology Corp., as evidenced by an Assignment recorded on March 21, 2002 at Reel 012707, Frame 0562.

**II. Related Appeals and Interferences**

To the best of Appellant's knowledge, there are no other prior or pending appeals of this Application, or patent interference proceedings, or judicial proceedings which may be related to, directly affect, or be directly affected by, or have a bearing on the Board's decision of this Appeal.

**III. Status of Claims**

In the Application on appeal, claims 12-16, 27-30, 35-39 and 42-59 are pending. Claims 12, 27, 36, 44, 49 and 55 are independent. Claims 12-16, 27-30, 35-39 and 42-59 are rejected and are on appeal.

**IV. Status of Amendments**

The Amendment filed on September 16, 2005, has been entered (as stated in item 1 on page 2 of the Final Office Action mailed on December 1, 2005).

**V. Summary of the Claimed Subject Matter**

To gain a full appreciation of the claimed subject matter it is important to understand the background art and context in which the invention is employed. The entire "Background of the Invention" section of the present application is reproduced

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immediately below, with emphasis added to certain sections thereof.

An individual often needs information at times when it is difficult or impossible to access or **when the individual is not in a position to record the information.** For example, a driver in his car may become lost and need driving directions, or be traveling in an unfamiliar area. Many paper maps do not have sufficient detail for point-to-point navigation. Further, even if the driver contacts a person with needed directions, **the driver would have to record such directions manually or rely on his memory,** either of which can be difficult when the directions are complex. In addition, there is no assurance that the directions are accurate.

Accordingly, it would be beneficial to provide a system and method for **delivering** accurate **driving directions to a user's** pager or Person Communication System ("PCS") digital **phone messenger or voice mail system** upon request of the user.

The specification makes it clear that it is often difficult for an individual to "record" information, such as driving directions, while they are driving. Heretofore, the driver, receiving driving directions while driving, either had to record the driving directions or "rely on his own memory." Either task is difficult when the driving directions are complex. Therefore, the claimed invention provides that requested driving directions are sent to the user's "phone messenger or voice mail system."

The present invention offers a real, substantial and patentable advantage over the state of the art, in that the user no longer needs to record (e.g. transcribe the directions to paper) while driving (a dangerous situation) or memorize the driving directions (often impossible when the directions are complex). Rather by the claimed invention, the driving directions are stored in the user's voice mailbox, and the user can easily call that voice mailbox (often by pressing a single button on their cell phone or a simple voice command) and retrieve the driving directions whenever, and as often as, needed during the course of the trip.

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For example, in a long journey from Washington D.C. to Niagara Falls, the user could access driving directions sent to their voice mailbox and need only remember the first portion, or leg, of the driving directions, such as "merge north onto Interstate 81 from west bound Interstate 66." After, the transition from 166 to 181 is completed, the user would again call their voice mailbox and need only remember the next leg of the journey, such as take exit 262 onto westbound 221, and so forth. By the present invention, there is no need on the part of the user to write down the long list of driving directions recorded in their voice mailbox the first time they access the driving directions. Further, there is no need to memorize a long list of driving directions, since the voice mail message containing the driving directions is stored in the user's personal voice mail system and can be quickly and easily accessed at the convenience of the user multiple times.

Each of the independent claims 12, 27, 36, 44, 49, and 55 includes related recitations, which distinguish over the prior art of record, as argued below. The claim features of all the independent claims will now be mapped to representative support in the specification including a corresponding page number and line number, and if appropriate, representative support in the drawings.

Claim 12 recites a method for communicating with a voice mailbox (Fig. 4, Ref. No. 52; Pg. 1, Ins. 16-17; pg. 2, ln 12) comprising the steps of: receiving (Fig. 1, Ref. No. 26; Pg. 4, ln. 3; Pg. 4, ln. 8) an information request (Fig. 3, Ref. No. 204; Pg. 1, ln. 15-16; pg. 3, ln. 5) and voice mailbox identification information (Pg. 2, ln. 8), in the form of a telephone number (Pg. 8, ln. 1; Pg. 13, ln. 13) corresponding to the user's voice mail system (Fig. 4, Ref. No. 52; Pg. 13, Ins. 8, 13), from a wireless portable unit (Fig. 1, Ref.

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No. 24; Pg. 1, ln. 16; pg. 3, ln 17); accessing an informational database (Fig. 1, Ref. No. 38; Pg. 2, ln. 9) with said information request; receiving from the informational database (Fig. 1, Ref. No. 38; Pg. 2, ln. 9), text format information (Pg. 3, ln. 21) in response to said information request; processing said text format information with a text-to-voice processor (Pg. 4, ln. 5; Pg. 8, ln. 13) to generate an audio representation (Pg. 2, ln. 11) of said text format information (Pg. 3, ln. 21); and transmitting (Fig. 1, Ref. No. 20; Pg. 3, ln. 19) said audio representation (Pg. 2, ln. 11) to a voice mailbox (Fig. 4, Ref. No. 52; Pg. 1, lns. 16-17; pg. 2, ln 12) identified by said voice mailbox identification information (Pg. 2, ln. 8), wherein the voice mailbox (Fig. 4, Ref. No. 52; Pg. 1, lns. 16-17; pg. 2, ln 12) is remote from the wireless portable unit (Fig. 1, Ref. No. 24; Pg. 1, ln. 16; pg. 3, ln 17).

Claim 27 recites a system for communicating with a voice mailbox (Fig. 4, Ref. No. 52; Pg. 1, lns. 16-17; pg. 2, ln 12) comprising: a call center (Fig. 1, Ref. No. 100; Pg. 4, ln. 3; Pg. 8, ln. 10) accepting (Fig. 1, Ref. No. 26; Pg. 4, ln. 3; Pg. 4, ln. 8) an information request and voice mailbox identification information (Pg. 2, ln. 8), in the form of a telephone number (Pg. 8, ln. 1; Pg. 13, ln. 13) corresponding to the user's voice mail system (Fig. 4, Ref. No. 52; Pg. 13, lns. 8, 13), from a wireless portable unit (Fig. 1, Ref. No. 24; Pg. 1, ln. 16; pg. 3, ln 17); an interface (Fig. 1, Ref. No. 12; Pg. 4, lns. 13-19) for transmitting (Fig. 1, Ref. No. 20; Pg. 3, ln. 19) the information request to an informational database (Fig. 1, Ref. No. 38; Pg. 2, ln. 9) and for receiving responsive information back from the informational database (Fig. 1, Ref. No. 38; Pg. 2, ln. 9); a text-to-voice processor (Pg. 4, ln. 5; Pg. 8, ln. 13) receiving said responsive information in a text format (Pg. 3, ln. 21) and providing responsive information in a voice format

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(Pg. 13, ln. 15); and a transmitter (Fig. 1, Ref. No. 20; Pg. 3, ln. 19) for providing said responsive information in the voice format (Pg. 13, ln. 15) to a voice mailbox identified by said voice mailbox identification information, wherein the voice mailbox (Fig. 4, Ref. No. 52; Pg. 1, lns. 16-17; pg. 2, ln 12) is remote from the wireless portable unit (Fig. 1, Ref. No. 24; Pg. 1, ln. 16; pg. 3, ln 17).

Claim 36 recites a method of operating a travel directions information service (Fig. 3; Pg. 12, lns. 12-14) comprising the steps of: receiving (Fig. 1, Ref. No. 26; Pg. 4, ln. 3; Pg. 4, ln. 8) a voice call from a person (Pg. 3, ln. 17) desiring travel directions; having a call taker manually enter first information (Pg. 3, lns. 19-21; pg. 4, ln 6-7) (Pg. 2, ln. 8) into a computer program (Pg. 4, lns. 13-19) based upon verbal communications from the person calling (Pg. 8, ln. 6); accessing an informational database (Fig. 1, Ref. No. 38; Pg. 2, ln. 9) using at least a portion of the first information (Pg. 2, ln. 8); receiving second information (Pg. 2, ln. 9-10) from the informational database (Fig. 1, Ref. No. 38; Pg. 2, ln. 9); and transmitting (Fig. 1, Ref. No. 20; Pg. 3, ln. 19) the second information to a voice mailbox (Fig. 4, Ref. No. 52; Pg. 1, lns. 16-17; pg. 2, ln 12) corresponding to a telephone number (Pg. 8, ln. 1; Pg. 13, ln. 13) of a voice mail system (Fig. 4, Ref. No. 52; Pg. 13, lns. 8, 13) associated with the person desiring travel directions.

Claim 44 recites a system for providing travel directions information (Fig. 3; Pg. 12, lns. 12-14) comprising: a telephone to receive (Fig. 1, Ref. No. 26; Pg. 4, ln. 3; Pg. 4, ln. 8) a voice call from a person (Pg. 3, ln. 17) desiring travel directions; a data processing device (Fig. 1, Ref. No. 100; Pg. 4, ln. 3) for allowing a call taker operating the telephone to manually enter first information (Pg. 3, lns. 19-21; pg. 4, ln 6-7) (Pg. 2,



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In. 8) based upon verbal communications from the person calling (Pg. 8, In. 6); a computer program (Pg. 4, Ins. 13-19) for receiving the first information (Pg. 2, In. 8); an interface (Fig. 1, Ref. No. 12; Pg. 4, Ins. 13-19), controlled by the computer program (Pg. 4, Ins. 13-19), to send a query to an informational database (Fig. 1, Ref. No. 38; Pg. 2, In. 9) using at least a portion of the first information (Pg. 2, In. 8) and to receive second information (Pg. 2, In. 9-10) from the informational database (Fig. 1, Ref. No. 38; Pg. 2, In. 9); and a transmitter (Fig. 1, Ref. No. 20; Pg. 3, In. 19) to send the second information to a voice mailbox (Fig. 4, Ref. No. 52; Pg. 1, Ins. 16-17; pg. 2, In. 12) corresponding to a telephone number (Pg. 8, In. 1; Pg. 13, In. 13) of a voice mail system (Fig. 4, Ref. No. 52; Pg. 13, Ins. 8, 13) associated with the person desiring travel directions.

Claim 49 recites a method of operating a travel directions information service (Fig. 3; Pg. 12, Ins. 12-14) comprising the steps of: receiving (Fig. 1, Ref. No. 26; Pg. 4, In. 3; Pg. 4, In. 8) first voice information from a person (Pg. 3, In. 17) (Pg. 8, In. 6) desiring travel directions; converting the first voice information into first text information using a voice-to-text processor (Pg. 4, In. 5; Pg. 8, In. 13); accessing an informational database (Fig. 1, Ref. No. 38; Pg. 2, In. 9) using at least a portion of the first text information; receiving second text information (Pg. 2, In. 9-10) from the informational database (Fig. 1, Ref. No. 38; Pg. 2, In. 9); converting the second text information into second voice information using a text-to-voice processor (Pg. 4, In. 5; Pg. 8, In. 13); and transmitting (Fig. 1, Ref. No. 20; Pg. 3, In. 19) the second voice information to a voice mailbox (Fig. 4, Ref. No. 52; Pg. 1, Ins. 16-17; pg. 2, In. 12) corresponding to a telephone number (Pg. 8, In. 1; Pg. 13, In. 13) of a voice mail system (Fig. 4, Ref. No.

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52; Pg. 13, Ins. 8, 13) associated with the person desiring travel directions.

Claim 55 recites a system for providing travel directions information (Fig. 3; Pg. 12, Ins. 12-14) comprising: a telephone answering device (Pg. 8, Ins. 7-10) to receive a voice call from a person (Pg. 3, In. 17) (Pg. 8, In. 6) desiring travel directions; a voice-to-text processor (Pg. 4, In. 5; Pg. 8, In. 13) to convert first voice information, stated by the person desiring travel directions, into first text information; a computer program (Pg. 4, Ins. 13-19) for receiving the first text information; an interface (Fig. 1, Ref. No. 12; Pg. 4, Ins. 13-19), controlled by the computer program, to send a query to an informational database (Fig. 1, Ref. No. 38; Pg. 2, In. 9) using at least a portion of the first text information and to receive (Fig. 1, Ref. No. 26; Pg. 4, In. 3; Pg. 4, In. 8) second text information from the informational database (Fig. 1, Ref. No. 38; Pg. 2, In. 9); a text-to-voice processor (Pg. 4, In. 5; Pg. 8, In. 13) to convert the second text information into second voice information; and a transmitter (Fig. 1, Ref. No. 20; Pg. 3, In. 19) to send the second voice information to a voice mailbox (Fig. 4, Ref. No. 52; Pg. 1, Ins. 16-17; pg. 2, In 12) corresponding to a telephone number (Pg. 8, In. 1; Pg. 13, In. 13) of a voice mail system (Fig. 4, Ref. No. 52; Pg. 13, Ins. 8, 13) associated with the person desiring travel directions.

#### **VI. Grounds of Rejection to be Reviewed on Appeal**

Whether claims 12-16, 27-30, 35-39 and 42-59 are obvious under 35 U.S.C. 103(a) over Bruce et al., U.S. Patent 6,765,998 (hereinafter, "Bruce"), in view of Craddock et al., U.S. Patent 6,351,771 (hereinafter, "Craddock").

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**VII. Argument**

**A. Rejection of Claims 12-16, 27-30, 35-39 and 42-59 Under 35 U.S.C. 103(a) Based on Bruce and Craddock**

In rejecting claims under 35 U.S.C. §103, it is incumbent upon the examiner to establish a factual basis to support the legal conclusion of obviousness. See, In re Fine, 837 F.2d 1071, 1073; 5 U.S.P.Q. 2d 1596, 1598 (Fed. Cir. 1988). In so doing, the examiner is expected to make the factual determinations set forth in Graham v. John Deere Co., 383 U.S. 1, 17; 148 U.S.P.Q. 459, 467 (1966), and to provide a *reason* why one of ordinary skill in the pertinent art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. KSR International Co. v. Teleflex Inc., 550 U.S. \_\_\_, 82 U.S.P.Q. 2d 1385 (2007).

The examiner may not pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art, Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve Inc., 796 F.2d 443, 448, 230 U.S.P.Q. 416, 419 (Fed. Cir. 1986), cert. denied, 484 U.S. 823 (1987) and In re Kamm, 452 F.2d 1052, 1057, 172 U.S.P.Q. 298, 301-2 (CCPA 1972), and obviousness cannot be established by locating references which describe various aspects of Appellants' invention without also providing evidence of the reason which would impel one skilled in the art to do what Appellants have done. Ex parte Levensgood, 28 U.S.P.Q. 2d 1300, 1302 (Bd. App. & Int. 1993). These showings by the examiner are an essential part of complying with the burden of presenting a *prima facie* case of obviousness. These showings must be clear and particular, and broad conclusory statements about the

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teaching of multiple references, standing alone, are not "evidence." See In re Dembiczak, 175 F.3d 994 at 1000, 50 U.S.P.Q. 2d 1614 at 1617 (Fed. Cir. 1999). Note, In re Oetiker, 977 F.2d 1443, 1445, 24 U.S.P.Q. 2d 1443, 1444 (Fed. Cir. 1992). The mere fact that the prior art may be modified in the manner suggested by the examiner does not make the modification obvious unless the prior art suggested the desirability of the modification. In re Fritch, 972 F.2d 1260, 1266, 23 U.S.P.Q. 2d 1780, 1783-84 (Fed. Cir. 1992). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be suggested or taught by the prior art. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1970). All words in a claim must be considered in judging the patentability of that claim against the prior art. In re Wilson, 424 F.2d 1382, 1385, 165 U.S.P.Q. 494, 496 (CCPA 1970). Moreover, a factual inquiry whether to modify a reference must be based on objective evidence of record, not merely conclusory statements of the examiner. See, In re Lee, 277 F.3d 1338, 1343, 61 U.S.P.Q. 2d 1430, 1433 (Fed. Cir. 2002).

### **1. Claims 12, 36 and 49**

Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Bruce in view of Craddock. Claim 12 recites a method for communicating with a voice mailbox that includes steps of, inter alia, transmitting an audio representation of text format information to a voice mailbox identified by voice mailbox identification information where the voice mailbox is remote from a wireless portable unit. Bruce does not perform at least the foregoing step. Instead, Bruce creates a temporary "voice mail message," which can be played, paused, rewound, etc. to make it easier for the

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person desiring travel directions to write the travel directions down on paper. Hence, the Bruce system could lead to the dangerous situation of a person driving while listening to directions on a cell phone and writing those directions down on paper.

Bruce is addressing a specific problem in the background art. In col. 1, line 66 through col. 2, line 4, Bruce states:

[T]he retrieval of driving directions over the telephone requires a live operator to relay the driving instructions to the caller. ***The caller must transcribe each sequence of the driving directions*** while the operator waits on the telephone, thus ***reducing the productivity of the operator.***

Bruce's solution and contribution to the art is not to relieve the caller from the dangerous transcription process, but rather to relieve the operator from the costly wait on the line, while the caller transcribes the driving directions. In col. 15, lines 3 1-34, Bruce states:

[An] interactive user interface also improves the productivity of the operator console by allowing the operator to pass the caller off to the interactive user interface and move on to handle the next caller.

Hence, Bruce provides a temporary "voice mail message," referred to as an "interactive user interface," and described in particular detail in cols. 10-14, which supplies the driving directions to the user. The interactive interface allows the user to stop, start, pause, review and skip through step-by-step instructions "such that ***the user can listen and record*** the instructions or listen and pause the instructions while they are actually driving the route." See col. 3, lines 11-13.

Of course, if the instructions were for a trip requiring several turns or an extended time (more than a few minutes), the user ***must*** remember or record the directions, i.e. transcribe the directions onto a piece of paper. Since the pause feature of the interface lasts only a few seconds (col. 11, line 36), it would not be possible, feasible or cost

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effective to hold the voice mail "open" for hours on end.

There is no showing or suggestion in Bruce that the "voice mail message" would be stored in a voice mailbox. There is particularly no showing or suggestion in Bruce that the voice mailbox would correspond to a telephone number of a voice mail system associated with the person desiring travel directions. It is evident that the "voice mail message" of Bruce never leaves the operator system where it was generated, since the user always has the option of returning to the live operator by pressing the "0" key. See col. 10, line 44 and col. 12, lines 20-22. It is actually inherent, based upon this fact of the Bruce disclosure, that the message is not being recorded into the voice mailbox corresponding to the telephone number of the caller's voicemail service.

In Bruce, after the caller hangs up, there appears to be no way of returning to the travel directions for later review. The "voice mail message" containing the directions is simply not stored. Rather, the caller would need to re-supply all of the addresses again and wait for a new route calculation and interactive "voice mail message" to be created before being able to revisit the driving directions. This would be time consuming, inconvenient and dangerous while driving a vehicle.

The Office Action cites the Craddock reference to show sending an audio representation to a voice mailbox. However, it is respectfully submitted that no portion of Craddock, including the portion at column 8, line 62 to column 9, line 20, cited in the Office Action, shows such a step. Craddock indicates that a user can design an "agent" to periodically monitor, for example, a stock quote service. When a predetermined condition occurs, a given stock reaching a certain price, for example, the agent "notifies" the user that the condition has occurred. One disclosed type of notification is sending a

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message to a user's voice mailbox; however the contents of this notification are not disclosed. Craddock in no manner suggests that an audio representation of text format information should be sent to a voice mailbox. Craddock's notification would presumably merely indicate that the predefined condition has occurred. There is no suggestion in Craddock, for example, that the user receives a voice mail message reporting the price of the stock or a description of its movements, or an audio representation of text information. The user is simply notified that a predetermined event has occurred.

Because Craddock does not show a step of transmitting an audio representation of text format information to a voice mailbox identified by voice mailbox identification information where the voice mailbox is remote from a wireless portable unit as recited in claim 12, Craddock in no manner suggests a modification to Bruce that would result in the invention of claim 12. At most the combination of Craddock and Bruce would suggest that the user of the Bruce system should receive a voice mail notification that some condition has occurred; however, such notification would not have any bearing on the audio travel directions being transmitted to the caller. Craddock suggests no modification to Bruce that would produce the invention of claim 12, and claim 12 is submitted to be allowable over Bruce and Craddock for at least this reason.

Claim 36 includes the limitation "transmitting the second information to a voice mailbox corresponding to a telephone number of a voice mail system associated with the person desiring travel directions" and is submitted to be allowable for at least the reasons provided above in connection with claim 12.

Claim 49 includes the limitation "transmitting the second voice information to a

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voice mailbox corresponding to a telephone number of a voice mail system associated with the person desiring travel directions" and is submitted to be allowable for at least the reasons provided above in connection with claim 12.

## **2. Claims 13-16, 35, 37-39, 42, 43 and 50-54**

Claims 13-16 and 35 depend from claim 12 and are submitted to be allowable for at least the same reasons as claim 12. Claims 37-39, 42 and 43 depend from claim 36 and are submitted to be allowable for at least the same reasons as claim 36. Claims 50-54 depend from claim 49 and are submitted to be allowable for at least the same reasons as claim 49.

## **3. Claims 27, 44 and 55**

Claim 27 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Bruce in view of Craddock. Claim 27 recites a system for communicating with a voice mailbox that includes, inter alia, a transmitter for providing responsive information in a voice format to a voice mailbox identified by a voice mailbox identification information, wherein the voice mailbox is remote from the wireless portable unit making an information request. As discussed above in connection with claim 12, Bruce does not include a transmitter for providing responsive information to a voice mailbox identified by voice mailbox identification information. Instead, Bruce allows a caller to listen to information being transmitted from an operator system. Craddock merely indicates that a notification can be sent to a person's voice mailbox when a predefined condition has occurred. The combination of Bruce and Craddock, therefore, in no manner suggests



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that Bruce should include a transmitter for providing responsive information in a voice format to a voice mailbox identified by a voice mailbox identification information, wherein the voice mailbox is remote from the wireless portable unit making an information request as recited in claim 27. Claim 27 is submitted to be allowable over Bruce and Craddock for at least this reason.

Claim 44 includes the limitation "a transmitter to send the second information to a voice mailbox corresponding to a telephone number of a voice mail system associated with the person desiring travel directions" and is submitted to be allowable for substantially the same reasons as claim 27.

Claim 55 includes the limitation "a transmitter to send the second voice information to a voice mailbox corresponding to a telephone number of a voice mail system associated with the person desiring travel directions" and is submitted to be allowable for substantially the same reasons as claim 27.

#### **4. Claims 28-30 and 45-48**

Claims 28-30 depend from claim 27 and are submitted to be allowable for at least the same reasons as claim 27. Claims 45-48 depend from claim 44 and are submitted to be allowable for at least the same reasons as claim 44.

### **VIII. CLAIMS**

A copy of the claims involved in the present appeal is attached hereto as Appendix A - Claims Appendix. As indicated above, the claims in Appendix A do

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include the amendments filed by Appellant on September 16, 2005.

**IX. EVIDENCE**

No evidence pursuant to §§ 1.130, 1.131, or 1.132 or entered by or relied upon by the examiner is being submitted.

**X. RELATED PROCEEDINGS**

No related proceedings are referenced in Section II, above.

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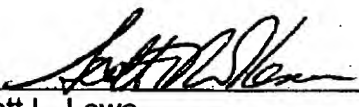
### CONCLUSION

Appellant respectfully submits that claims 12-16, 27-30, 35-39 42-59 are patentable over the applied art and that all of the rejections and objections of record should be reversed.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 50-1602 for any additional fees, including fees required under 37 C.F.R. § 1.16 or 1.17 or 41.20, and particularly extension of time fees.

Dated: January 16, 2008

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## APPENDIX A: CLAIMS APPENDIX

1-11. (Canceled)

12. (Previously Presented) A method for communicating with a voice mailbox comprising the steps of:

receiving an information request and voice mailbox identification information, in the form of a telephone number corresponding to the user's voice mail system, from a wireless portable unit;

accessing an informational database with said information request;

receiving from the informational database, text format information in response to said information request;

processing said text format information with a text-to-voice processor to generate an audio representation of said text format information; and

transmitting said audio representation to a voice mailbox identified by said voice mailbox identification information, wherein the voice mailbox is remote from the wireless portable unit.

13. (Previously Presented) The method of claim 12, wherein said information request comprises a plurality of geographic addresses and said text format information comprises driving directions between said addresses.

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14. (Original) The method of claim 13, wherein said informational database is a mapping database providing driving directions in response to a query containing a geographic starting and ending point.

15. (Previously Presented) The method of claim 13, wherein said text format information comprises driving directions.

16. (Previously Presented) The method of claim 12, wherein said informational database is Internet-based and is accessed remotely through HTTP emulation.

Claims 17-26. (Canceled)

27. (Previously Presented) A system for communicating with a voice mailbox comprising:

a call center accepting an information request and voice mailbox identification information, in the form of a telephone number corresponding to the user's voice mail system, from a wireless portable unit;

an interface for transmitting the information request to an informational database and for receiving responsive information back from the informational database;

a text-to-voice processor receiving said responsive information in a text format and providing responsive information in a voice format; and

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a transmitter for providing said responsive information in the voice format to a voice mailbox identified by said voice mailbox identification information, wherein the voice mailbox is remote from the wireless portable unit.

28. (Previously Presented) The system of claim 27, wherein said interface comprises a computer server.

29. (Previously Presented) The system of claim 28, wherein said call center comprises computer terminals networked to said computer server.

30. (Previously Presented) The system of claim 29, wherein said computer server is Internet-based and is configured to be accessed remotely by said computer terminals.

Claims 31-34. (Canceled).

35. (Previously Presented) The method of claim 12, further comprising the steps of:

recording said audio representation in the voice mailbox; and

calling the voice mailbox using the wireless portable unit to retrieve the recorded audio representation.

36. (Previously Presented) A method of operating a travel directions information service comprising the steps of:

receiving a voice call from a person desiring travel directions;

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having a call taker manually enter first information into a computer program based upon verbal communications from the person calling;

accessing an informational database using at least a portion of the first information;

receiving second information from the informational database; and

transmitting the second information to a voice mailbox corresponding to a telephone number of a voice mail system associated with the person desiring travel directions.

37. (Previously Presented) The method according to claim 36, wherein the first information includes a destination address and a unique identification associated with the person calling or the wireless portable device.

38. (Previously Presented) The method according to claim 36, wherein the first information includes a plurality of geographic addresses and the second information comprises driving directions between the addresses.

39. (Previously Presented) The method according to claim 36, wherein the informational database is a mapping database and the second information includes driving directions.

40-41. (Canceled)

42. (Previously Presented) The method according to claim 36, wherein said step of

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accessing the informational database occurs over the internet.

43. (Previously Presented) The method according to claim 36, wherein said step of accessing the informational database occurs over a dedicated data line.

44. (Previously Presented) A system for providing travel directions information comprising:

a telephone to receive a voice call from a person desiring travel directions;

a data processing device for allowing a call taker operating the telephone to manually enter first information based upon verbal communications from the person calling;

a computer program for receiving the first information;

an interface, controlled by the computer program, to send a query to an informational database using at least a portion of the first information and to receive second information from the informational database; and

a transmitter to send the second information to a voice mailbox corresponding to a telephone number of a voice mail system associated with the person desiring travel directions.

45. (Previously Presented) The system according to claim 44, wherein the first information includes a destination address and a unique identification associated with the person calling or the wireless portable device.

46. (Previously Presented) The system according to claim 44, wherein said first



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information includes a plurality of geographic addresses and said second information comprises driving directions between said addresses.

47. (Previously Presented) The system according to claim 44, wherein the informational database is a mapping database and said second information includes driving directions.

48. (Previously Presented) The system according to claim 44, wherein said interface is connected to the internet in order to transmit data to, and receive data from, the informational database.

49. (Previously Presented) A method of operating a travel directions information service comprising the steps of:

- receiving first voice information from a person desiring travel directions;
- converting the first voice information into first text information using a voice-to-text processor;
- accessing an informational database using at least a portion of the first text information;
- receiving second text information from the informational database;
- converting the second text information into second voice information using a text-to-voice processor; and
- transmitting the second voice information to a voice mailbox corresponding to a telephone number of a voice mail system associated with the person desiring travel directions.

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50. (Previously Presented) The method according to claim 49, wherein the first voice information includes the telephone number associated with the person's voice mailbox.

51. (Previously Presented) The method according to claim 49, wherein the first voice information includes a destination address and a unique identification associated with the person calling or the wireless portable device.

52. (Previously Presented) The method according to claim 49, wherein the first text information includes a plurality of geographic addresses and the second text information comprises driving directions between the addresses.

53. (Previously Presented) The method according to claim 49, wherein the informational database is a mapping database and the second text information includes driving directions.

54. (Previously Presented) The method according to claim 49, wherein said step of accessing the informational database occurs over the internet.

55. (Previously Presented) A system for providing travel directions information comprising:

a telephone answering device to receive a voice call from a person desiring travel directions;

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a voice-to-text processor to convert first voice information, stated by the person desiring travel directions, into first text information;

a computer program for receiving the first text information;

an interface, controlled by the computer program, to send a query to an informational database using at least a portion of the first text information and to receive second text information from the informational database;

a text-to-voice processor to convert the second text information into second voice information; and

a transmitter to send the second voice information to a voice mailbox corresponding to a telephone number of a voice mail system associated with the person desiring travel directions.

56. (Previously Presented) The system according to claim 55, wherein the first voice information includes a destination address and a unique identification associated with the person calling or the wireless portable device.

57. (Previously Presented) The system according to claim 55, wherein the first text information includes a plurality of geographic addresses and the second text information comprises driving directions between the addresses.

58. (Previously Presented) The system according to claim 55, wherein said interface is connected to the Internet in order to transmit data to, and receive data from, the informational database.

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59. (Previously Presented) The system of claim 27, wherein the wireless portable unit is a cellular phone.

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## **APPENDIX B: EVIDENCE APPENDIX**

(None)

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**APPENDIX C: RELATED PROCEEDINGS APPENDIX**

(None)